

By Senator Sturgeon:

Honey Grove, Texas, April 5, 1909.

Hon. B. B. Sturgeon, Austin, Texas.

Dear Sir: Believing that the Cureton bank guaranty bill, as passed by the House Saturday, the 3rd inst., meets the demands of the people of Texas, as well as the Texas Democracy, and that the Senter-Hume bill as passed by the Senate Saturday night, does not in any sense, come up to the requirements or expectations of either the people or the Texas Democracy, but is a weak subterfuge intended to thwart the will of both the people and Texas Democracy. We shall hope you can see your way clear to give your support and influence to the final passage of the Cureton bill, thus carrying out the expressed will of the voters of Texas.

Numerously signed.

By Senator Hayter:

Park Springs, Tex., March 31, 1909.

Hon. J. P. Hayter.

Dear Sir: We, the members of the Farmers' Union here, thank you for your polite letter of the 17th inst. In regard to the Terrell anti-bucket shop law. We wish that you would support and vote for the Cureton bill, and to oppose any amendment to include National and private banks in its provisions. Believing that you will look after our interest here, I am respectfully,

J. N. MONROE, Secretary.

By Senator Perkins:

Commerce, Texas, April 3, 1909.

Hon. Tom W. Perkins, Austin, Texas.

Dear Sir: We, the undersigned qualified voters and citizens of Commerce, Hunt county, respectfully urge you to vote and use your influence for the Cureton bank deposit guaranty bill now pending before the Senate and comply with the platform demand upon which you were elected.

Numerously signed.

By Senator Holsey:

Terrell, Texas, April 5, 1909.

Hon. W. R. Holsey, State Senate, Austin, Texas:

We appreciate your efforts in behalf of a sensible guaranty bank bill. The Senter-Hume amendment would force the State banks to liquidate. This is the evident purpose of the authors.

Signed—L. A. Griffith, Jr., J. J. Barton, J. O. Fields, E. R. Bumpass, W. H. Neeley, T. R. Bond, M. O. Thompson.

By Senator Peeler:

Austin, Texas, April 5, 1909.

To the Representatives and Senators of the Thirty-first Legislature of the State of Texas:

We, the undersigned citizens and voters of Travis county, respectfully petition you to pass House bill No. 1, providing for the guaranty of deposits in State banks by creating a State bank guaranty fund, in line with the recommendation of the State and National Democratic platform.

Numerously signed.

Decatur, Texas, March 29, 1909.

Senator Hayter.

Dear Sir: I was requested by the Anneville union to ask you to vote for House bill No. 1 for the guaranteeing of deposits in Texas State banks.

Respectfully,

G. C. DECKER.

#### SEVENTEENTH DAY.

Senate Chamber,

Austin, Texas,

Wednesday, April 7, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

The roll was called, a quorum being present, the following Senators answering to their names:

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Stokes.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of
Hudspeth.	McLennan.
Hume.	Veale.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Willacy.
Meachum.	

Absent.

Senter. Weinert.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Cofer, the same was dispensed with.

## RECEIPT OF MONEY ACKNOWLEDGED.

Dallas, Texas, April 3, 1900.  
Received of Clyde D. Smith, \$22.71  
for Buckner Orphans Home, to the credit  
of collection of Abc Mulkey.  
Accept sincere thanks,  
BUCKNER ORPHANS HOME.  
Per R. C. BUCKNER.

## RESOLUTION.

By Senator Watson:

Whereas, In the issue of April 3, 1900, of the Home and State the following editorial appeared, to-wit:

"There are not more than five first-class really able Democrats in the Texas House and not more than three in the Texas Senate. We leave it to the public to pick them out. No wonder Texas lies bleeding," and

Whereas, The public of the great State of Texas will never be able to ascertain the names of these three immaculate members of this august body without the assistance of the editor of said paper, the Hon. George C. Rankin of Dallas, who is recognized as being the only allwise and patriotic guardian of the people's rights; therefore, be it

Resolved by the Senate, That the President appoint a committee of three men, neither of whom are to be in any way affiliated or connected with the present Legislature with the request that said committee ascertain if possible from this great editor and statesman the names of Democratic members of this body.

Resolved further, That the thanks of this body be extended Bro. George for advising the people of Texas of the death of Democracy in the Legislature.

WATSON,  
HUDSPETH.

Senator Sturgeon made the point of order on the resolution that the Chair had no power to appoint a committee outside of members of the Senate.

The Chair sustained the point of order.

Morning call concluded.

## SENATE BILL NO. 77.

On motion of Senator Watson, the regular order of business (House bill No. 11) was suspended, and the Senate took up, out of its order, Senate bill No. 77, by the following vote:

Yeas—23.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Stokes.
Hayter.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Hume.	Veale.
Kellie.	Ward.
Masterson.	Watson.
Meachum.	Willacy.
Murray.	

Absent.

Greer.	Senter.
Harper.	Terrell of McLennan.
Holsey.	Weinert.
Mayfield.	

The Chair laid before the Senate, on second reading,

Senate bill No. 77, A bill to be entitled "An Act concerning surety companies authorized to transact business in this State, and their agents, and to permit such companies and such agents to form an association for the purpose of gathering statistics, exchanging experiences, and ascertaining the fair and reasonable rates to be paid them for their suretyship, and to maintain such rates, and to prevent losses arising from dishonesty or dereliction of duty of public officers, trustees and others, and to prevent discriminations, favoritism or rebates, and declaring an emergency."

The bill was laid on the table subject to call.

## SENATE BILL NO. 73.

On motion of Senator Meachum, the regular order of business (House bill No. 11) was suspended, and the Senate took up, out of its order, Senate bill No. 73, by the following vote:

Yeas—25.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Hume.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Watson.
Meachum.	

## Absent.

Holsey. Weinert.  
Mayfield. Willacy.  
Ward.

The Chair laid before the Senate, on second reading,

Senate bill No. 73, A bill to be entitled "An Act to amend Article 942, Chapter 2, Title 27 of the Revised Statutes, regulating the prosecution of writs of error to the Supreme Court, and declaring an emergency."

The committee report, with amendments, was read and adopted.

Senator Cofer offered the following amendment:

Amend by adding another article to be known as Article 942a:

"Article 942a. Any party desiring so to do may present his application in the first instance to the Court of Civil Appeals or any justice thereof, instead of the Supreme Court, and if such writ of error be granted by such Court of Civil Appeals or any justice thereof, then the Supreme Court shall take jurisdiction and hear said cause on submission as now provided by law. If the said application be refused, then the application may be presented to the Supreme Court, as provided in the foregoing Article 942."

(President Pro Tem. Brachfield in the chair.)

Senator Meachum moved to table the amendment, which motion was adopted by the following vote:

## Yeas—19.

Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Hayter.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Hume.	Terrell of McLennan.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Willacy.
Meachum.	

## Nays—6.

Cofer.	Holsey.
Greer.	Murray.
Harper.	Senter.

## Absent.

Adams.	Veale.
Paulus.	Weinert.
Stokes.	

Bill read second time, and ordered engrossed.

On motion of Senator Meachum, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—25.

Adams.	Masterson.
Alexander.	Meachum.
Brachfield.	Murray.
Bryan.	Peeler.
Cofer.	Perkins.
Greer.	Real.
Harper.	Senter.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Watson.
Kellie.	Willacy.
Mayfield.	

## Absent.

Paulus.	Ward.
Stokes.	Weinert.
Veale.	

The bill was read third time, and passed by the following vote:

## Yeas—27.

Adams.	Meachum.
Alexander.	Murray.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Hume.	Ward.
Kellie.	Watson.
Masterson.	Willacy.
Mayfield.	

## Absent.

Paulus.	Weinert.
Stokes.	

Senator Meachum moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SIMPLE RESOLUTION.

By Senator Willacy:

Whereas, The Honorable T. B. Wheeler, ex-Lieutenant Governor of Texas, is now in the city of Austin, be it

Resolved, That the Senate hereby ex-

tends him an invitation to a seat within the Senate Chamber.

The resolution was read and adopted.

#### SENATE BILL NO. 40.

On motion of Senator Harper, the regular order of business (House bill No. 11) was suspended, and the Senate took up, out of its order, Senate bill No. 40, by the following vote:

Yeas—24.

Adams.	Masterson.
Alexander.	Mayfield.
Brachfield.	Meachum.
Bryan.	Murray.
Cofer.	Peeler.
Greer.	Perkins.
Harper.	Senter.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Ward.
Hume.	Watson.
Kellie.	Willacy.

Absent.

Paulus.	Terrell of McLennan.
Real.	Veale.
Stokes.	Weinert.

The Chair laid before the Senate, on second reading,

Senate bill No. 40, A bill to be entitled "An Act to authorize and empower any party to any cause, or his attorney of record, to print or typewrite or cause to be printed or typewritten the transcript of the record in any cause on appeal or writ of error, and requiring the clerk of the trial court to proof-read and certify to the same, and providing for his compensation for the same."

Bill read second time, and ordered engrossed.

On motion of Senator Harper the constitutional rule requiring bills to be read on three several days was suspended, and the bill was put on its third reading and final passage by the following vote:

Yeas—23.

Adams.	Holsey.
Alexander.	Hudspeth.
Brachfield.	Hume.
Bryan.	Kellie.
Cofer.	Masterson.
Greer.	Mayfield.
Harper.	Murray.
Hayter.	Paulus.

Peeler.	Veale.
Perkins.	Ward.
Senter.	Willacy.
Sturgeon.	

Absent.

Meachum.	Terrell of McLennan.
Real.	Watson.
Stokes.	Weinert.
Terrell of Bowie.	

The bill was read third time, and passed by the following vote:

Yeas—23.

Adams.	Masterson.
Alexander.	Mayfield.
Brachfield.	Murray.
Bryan.	Paulus.
Cofer.	Peeler.
Greer.	Perkins.
Harper.	Senter.
Hayter.	Sturgeon.
Holsey.	Veale.
Hudspeth.	Ward.
Hume.	Willacy.
Kellie.	

Absent.

Meachum.	Terrell of McLennan.
Real.	Watson.
Stokes.	Weinert.
Terrell of Bowie.	

Senator Harper moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE CONCURRENT RESOLUTION NO. 1.

On motion of Senator Willacy, the regular order of business (House bill No. 11) was suspended, and the Senate took up, out of its order, Senate Concurrent Resolution No. 1, by the following vote:

Yeas—23.

Adams.	Masterson.
Alexander.	Mayfield.
Brachfield.	Murray.
Bryan.	Paulus.
Cofer.	Peeler.
Greer.	Perkins.
Harper.	Senter.
Hayter.	Sturgeon.
Holsey.	Veale.
Hudspeth.	Ward.
Hume.	Willacy.
Kellie.	

Absent.  
 Meachum. Terrell of McLennan.  
 Real. Watson.  
 Stokes. Weinert.  
 Terrell of Bowie.

On motion of Senator Willacy, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report), by the following vote:

## Yeas—23

Adams. Masterson.  
 Alexander. Mayfield.  
 Brachfield. Murray.  
 Bryan. Paulus.  
 Cofer. Peeler.  
 Greer. Perkins.  
 Harper. Senter.  
 Hayter. Sturgeon.  
 Holsey. Veale.  
 Hudspeth. Ward.  
 Hume. Willacy.  
 Kellie.

## Absent.

Meachum. Terrell of McLennan.  
 Real. Watson.  
 Stokes. Weinert.  
 Terrell of Bowie.

The Chair laid before the Senate Senate Concurrent Resolution No. 1, Providing for sine die adjournment of the First Called Session of the Thirty-first Legislature, fixing the time for April 6, 1909.

The committee report, with amendment, was adopted.

The resolution was adopted.

Senator Willacy moved to reconsider the vote by which the resolution was adopted, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 79.

On motion of Senator Hudspeth, the regular order of business (House bill No. 11) was suspended, and the Senate took up, out of its order, Senate bill No. 79, by the following vote:

## Yeas—22.

Adams. Greer.  
 Alexander. Harper.  
 Brachfield. Hayter.  
 Bryan. Holsey.  
 Cofer. Hudspeth.

Hume. Peeler.  
 Kellie. Perkins.  
 Masterson. Senter.  
 Mayfield. Sturgeon.  
 Murray. Veale.  
 Paulus. Ward.

## Absent.

Meachum. Terrell of McLennan.  
 Real. Watson.  
 Stokes. Weinert.  
 Terrell of Bowie. Willacy.

The Chair laid before the Senate, on second reading,

Senate bill No. 79, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Crockett county, and the county court of Edwards county; to conform the jurisdiction of the district courts thereto, and to repeal all laws in conflict therewith, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—24.

Adams. Masterson.  
 Alexander. Mayfield.  
 Brachfield. Murray.  
 Bryan. Paulus.  
 Cofer. Peeler.  
 Greer. Perkins.  
 Harper. Senter.  
 Hayter. Stokes.  
 Holsey. Sturgeon.  
 Hudspeth. Terrell of Bowie.  
 Hume. Veale.  
 Kellie. Ward.

## Absent.

Meachum. Watson.  
 Real. Weinert.  
 Terrell of McLennan. Willacy.

The bill was read third time and passed.

Senator Hudspeth moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## HOUSE BILL NO. 11.

The Chair laid before the Senate, on second reading and regular order,

House bill No. 11, A bill to be entitled "An Act to establish four additional State Agricultural Experiment Stations, and providing the ways and means for their maintenance, and the maintenance of farm demonstration work in connection with said experiment stations, and making an appropriation therefor, and declaring an emergency."

Senator Veale offered the following amendment:

Amend the bill by striking out all after the enacting clause, and insert in lieu thereof the following:

Be it enacted by the Legislature of the State of Texas:

Section 1. There shall be established at such places in the State of Texas, as the board hereinafter named may deem proper, experimental stations in addition to those now in existence, for the purpose of making experiments in the planting and growing of agriculture, horticulture, cereals and plants, and the feeding and fattening of live stock for slaughter; such stations to be under the care, control and management and direction of the superintendent of agriculture and horticulture of the Agricultural and Mechanical College of Texas, and to be maintained and operated at such places in Texas as the board hereinafter designated may direct.

Sec. 2. The Governor, the Commissioner of Agriculture and Lieutenant Governor shall be, and are hereby vested with power to designate such places or localities in the State upon which agricultural, horticultural and feeding stations may be established.

Sec. 3. After the location of any such station or stations, such station or stations may, at the pleasure of said board, be abandoned, and located elsewhere in the State of Texas.

Sec. 4. In the location of any such agricultural, horticultural, or feeding station, the board so locating such station or stations may take into consideration any donation of money or other property to be used in the operation and management of such station or stations, and may accept any lease of lands upon which to carry on such experiments.

Sec. 5. It shall be the duty of the superintendent of such stations and feeding place to issue, and circulate among the farmers and live stock rais-

ers of the State from time to time, as may be deemed beneficial to such industries, printed bulletins showing the results of such experiments, such bulletins to be mailed to such persons as may desire same.

Sec. 6. That the agricultural and experimental stations now existing under the laws of this State shall, from the time this act takes effect, be under and subject to the provisions of this act, and may at the pleasure of said board be discontinued at such time as they may direct.

Sec. 7. The superintendent of such station or stations is hereby given authority in the conduct and management of such station or stations to employ such assistance as may be necessary, and to purchase from time to time such implements, equipment and seeds as may be necessary in the successful management of such stations, subject to the approval of said board.

Sec. 8. There shall be appropriated out of any funds in the State Treasury, not otherwise appropriated, the sum of twenty-five thousand dollars per annum, or so much thereof as may be necessary, to be expended in the location and establishment, maintenance and operation of such station or stations, such appropriation to extend for two years from the end of the fiscal year for 1909.

Sec. 9. That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

Sec. 10. There being no provision in the laws of the State of Texas authorizing the establishment of agricultural, horticultural and feeding stations, and the fact that two of Texas' greatest industries are in a measure being daily neglected, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and this bill be placed upon its third reading and final passage, and it is so enacted.

Signed — Veale, Meachum, Adams, Cofer, Alexander, Ward, Terrell of McLennan, Harper, Murray, Bryan, Holsey, Sturgeon, Hayter, Peeler, Greer, Brachfield.

The amendment was read and adopted.

Senator Hudspeth offered the following amendment:

Amend the bill, page 1, after the word "direct," in line 22, by adding the following: "Two of said experimental stations shall be established in



the Twenty-fifth Senatorial District, at such places as may be designated by the board provided for herein."

Senator Holsey moved to table the amendment, which motion to table was adopted by the following vote:

Yeas—15.

Adams.	Hume.
Alexander.	Meachum.
Brachfield.	Murray.
Bryan.	Paulus.
Greer.	Sturgeon.
Harper.	Veale.
Hayter.	Ward.
Holsey.	

Nays—13.

Hudspeth.	Senter.
Kellie.	Stokes.
Masterson.	Terrell of Bowie.
Mayfield.	Terrell of McLennan.
Peeler.	Watson.
Perkins.	Willacy.
Real.	

Absent.

Cofer.

Weinert.

#### REASON FOR VOTING.

I vote "nay" on tabling the amendment, because I desired to discuss the attacks on the Governor. I am opposed to these attacks but am also opposed to this amendment.

TERRELL of Bowie.

Senator Mayfield offered the following amendment:

Amend the bill, page 1, after the word "direct," in line 22, by adding the following: "One of said experimental stations shall be established in the Twenty-seventh Senatorial District, at such a place as may be designated by the board provided for herein, and thus carry out not only the spirit but the letter of the Democratic platform demand, which the Hon. W. J. Bryan said in his speech here on Monday is binding on all good and true Democrats."

Senator Terrell of McLennan moved the previous question on the amendment and engrossment of the bill.

The motion was seconded.

The motion for the previous question was lost by the following vote:

Yeas—12.

Brachfield.	Cofer.
Bryan.	Greer.

Harper.	Terrell of McLennan.
Hayter.	Veale.
Holsey.	Ward.
Murray.	Willacy.

Nays—17.

Adams.	Peeler.
Alexander.	Perkins.
Hudspeth.	Real.
Hume.	Senter.
Kellie.	Stokes.
Masterson.	Sturgeon.
Mayfield.	Terrell of Bowie.
Meachum.	Watson.
Paulus.	

Absent.

Weinert.

Senator Holsey offered the following substitute for the amendment:

Amend the bill by striking out the "Twenty-seventh District," and insert in lieu thereof the "Second Senatorial District."

Senator Mayfield made the point of order that the substitute for the amendment was not germane as a substitute.

The Chair (President Pro Tem. Brachfield) overruled the point of order.

Senator Terrell of Bowie moved to table both the amendment and the substitute, which motion to table prevailed.

Senator Hudspeth offered the following amendment:

Amend the bill by adding at the end of Section 1, line 22, the following: "One station to be established in extreme portion of West Texas and one in Central West Texas."

Senator Sturgeon offered the following amendment to the amendment:

Amend the amendment by adding: "And one in the Third Senatorial District."

Pending discussion,

Senator Perkins moved that the Senate recess until 3 o'clock today.

The motion was lost by the following vote:

Yeas—13.

Brachfield.	Peeler.
Cofer.	Perkins.
Greer.	Real.
Hayter.	Stokes.
Hudspeth.	Sturgeon.
Masterson.	Terrell of McLennan.
Murray.	

Nays—13.

Adams.	Meachum.
Alexander.	Senter.
Bryan.	Terrell of Bowie.
Harper.	Veale.
Holsey.	Ward.
Hume.	Watson.
Mayfield.	

Absent.

Kellie.	Weinert.
Paulus.	Willacy.

Action recurred on House bill No 11, and Senator Meachum moved the previous question on the pending amendments, which motion being duly seconded, it was so ordered.

The amendment to the amendment was lost.

The amendment was then lost by the following vote, the yeas and nays being called for:

Yeas—0.

Hudspeth.	Senter.
Mayfield.	Stokes.
Real.	Watson.

Nays—19.

Adams.	Meachum.
Alexander.	Murray.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Sturgeon.
Greer.	Terrell of Bowie.
Harper.	Terrell of McLennan.
Hayter.	Veale.
Holsey.	Ward.
Hume.	

Absent.

Kellie.	Weinert.
Masterson.	Willacy.
Paulus.	

Senator Mayfield offered the following amendment:

Amend the bill by adding at the end of Section 1, line 22, the following: "One shall be located in what is known as the rice belt of South or Southeast Texas."

Senator Holsey moved to table the amendment, which motion was adopted by the following vote:

Yeas—15.

Adams.	Bryan.
Alexander.	Cofer.
Brachfield.	Greer.

Harper.	Murray.
Hayter.	Terrell of Bowie.
Holsey.	Veale.
Hume.	Ward.
Meachum.	

Nays—8.

Hudspeth.	Senter.
Mayfield.	Stokes.
Peeler.	Sturgeon.
Real.	Watson.

Absent.

Kellie.	Terrell of McLennan.
Masterson.	Weinert.
Paulus.	Willacy.
Perkins.	

Senator Veale offered the following amendment:

Amend the bill by striking out after the words "a bill to be entitled" all down to the words "be it enacted by the Legislature of the State of Texas," and insert in lieu thereof the following: "An Act to provide for the establishment and maintenance of agricultural, horticultural and feeding experimental stations in certain parts of Texas; to provide for appropriations therefor, and repealing all laws in conflict herewith, and declaring an emergency."

Senator Veale moved the previous question on the amendment and the engrossment of the bill, which motion being duly seconded, was so ordered.

The amendment was then adopted.

Bill read second time, and passed to third reading.

On motion of Senator Veale, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Adams.	Mayfield.
Alexander.	Meachum.
Brachfield.	Murray.
Bryan.	Peeler.
Cofer.	Real.
Greer.	Senter.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Veale.
Hudspeth.	Ward.
Hume.	Watson.

Absent.

Kellie.	Stokes.
Masterson.	Terrell of McLennan.
Paulus.	Weinert.
Perkins.	Willacy.



Senator Watson offered the following amendment:

Amend the bill by striking out in line 24, page 1, the word "Governor," and insert in lieu thereof "President of the Agricultural and Mechanical College."

HUDSPETH,  
WATSON.

Senator Terrell of Bowie moved the previous question on the amendment and the final passage, which motion being duly seconded, was so ordered.

The amendment was lost by the following vote:

Yeas—3.

Adams.	Watson.
Hudspeth.	

Nays—19.

Alexander.	Meachum.
Brachfield.	Murray.
Bryan.	Peeler.
Cofer.	Real.
Greer.	Senter.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Veale.
Hume.	Ward.
Mayfield.	

Absent.

Kellie.	Stokes.
Masterson.	Terrell of McLennan.
Paulus.	Weinert.
Perkins.	Willacy.

Senator Watson moved that the Senate adjourn until tomorrow morning at 10 o'clock.

The motion was lost.

The bill was read third time, and passed by the following vote:

Yeas—22.

Adams.	Mayfield.
Alexander.	Meachum.
Brachfield.	Murray.
Bryan.	Peeler.
Cofer.	Real.
Greer.	Senter.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Veale.
Hudspeth.	Ward.
Hume.	Watson.

Absent.

Kellie.	Stokes.
Masterson.	Terrell of McLennan.
Paulus.	Weinert.
Perkins.	Willacy.

Senator Veale moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

Senator Murray moved that the Senate recess until 3 o'clock today.

Senator Hume moved, as a substitute, that the Senate recess until 3:30 o'clock today.

Senator Hudspeth moved that the Senate adjourn until 10 o'clock tomorrow morning.

Action recurred on the longest time first, and the motion to adjourn was lost by the following vote:

Yeas—6.

Adams.	Meachum.
Hudspeth.	Senter.
Hume.	Watson.

Nays—15.

Brachfield.	Murray.
Bryan.	Peeler.
Cofer.	Real.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Veale.
Holsey.	Ward.
Mayfield.	

Absent.

Alexander.	Stokes.
Kellie.	Terrell of McLennan.
Masterson.	Weinert.
Paulus.	Willacy.
Perkins.	

The motion to recess until 3:30 o'clock today was then adopted.

#### AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson.

#### SENATE BILL NO. 73—VOTE RESCINDED AND BILL PASSED.

Senator Meachum moved to rescind the vote by which the motion to reconsider the vote by which Senate bill No. 73 was finally passed and the motion to reconsider tabled.

The motion to rescind prevailed.

Senator Meachum moved to reconsider the vote by which Senate bill No. 73 was finally passed.

The motion to reconsider prevailed.

Senator Meachum moved to reconsider the vote by which Senate bill No. 73 was ordered engrossed.

The motion prevailed, which placed the bill before the Senate on second reading.

Senator Meachum offered the following amendment, which was read and adopted:

Amend the bill as amended by striking out of the bill as amended all between the word "rehearing" in line 19, page 1, and the word "application" in line 21, page 1, and insert in lieu thereof the following:

"If such motion is filed in the Court of Civil Appeals; but, if the party desiring to apply for a writ of error does not wish a rehearing in the Court of Civil Appeals, it shall not be necessary for such party to file a motion for rehearing in the Court of Civil Appeals as the predicate for a petition for writ of error to the Supreme Court; and, if no motion for a rehearing is filed in the Court of Civil Appeals, then the petition for writ of error shall be filed with the clerk of the Court of Civil Appeals within thirty days after the filing by the Court of Civil Appeals of its findings of fact and conclusions of law. And upon the filing of a petition for writ of error, the clerk of the Court of Civil Appeals shall note upon his record the filing of said."

Bill read second time, and ordered engrossed.

On motion of Senator Meachum, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—21.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Cofer.	Perkins.
Greer.	Senter.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Veale.
Kellie.	Ward.
Mayfield.	Willacy.
Meachum.	

## Absent.

Bryan.	Stokes.
Hudspeth.	Sturgeon.
Hume.	Watson.
Masterson.	Weinert.
Real.	

The bill was read third time, and passed by the following vote:

## Yeas—21.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Cofer.	Perkins.
Greer.	Senter.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Veale.
Kellie.	Ward.
Mayfield.	Willacy.
Meachum.	

## Absent.

Bryan.	Stokes.
Hudspeth.	Sturgeon.
Hume.	Watson.
Masterson.	Weinert.
Real.	

Senator Meachum moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## FIRST HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, April 7, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No 23, A bill to be entitled "An Act to provide a system of electric power, electric lights and water works for the purpose of supplying electric power, electric lights and water to the State Capitol, the General Land Office, Governor's Mansion, State University and the various public institutions of the State of Texas in the city of Austin and adjacent thereto; to create a board with authority to construct or have constructed or purchase and put in operation the necessary property, machinery and plant for such purpose, and with authority to lay mains and pipes and to erect poles and place wires across and along streets and alleys, public grounds and public highways in the city of Austin, and public roads adjacent thereto, and to secure from the owners, by purchase or condemnation proceedings, if necessary, the right to lay such mains and pipes and erect such poles and place such wires across private lands; to provide for the operation of such plant, to make an appropriation therefor, and to declare an emergency."

Senate bill No. 84, A bill to be entitled "An Act to amend Section 2 of an act passed by the Regular Session of the Thirty-first Legislature, known as an act creating an independent school district in the county of Gonzales, State of Texas, to be known as the Nixon Independent School District and to have all the powers, rights and duties of independent school districts formed by the incorporation of towns and villages for free school purposes only, and declaring an emergency."

House bill No. 122, A bill to be entitled "An Act creating an independent school district to be known as the Goliad Independent School District, including within its limits the unincorporated town of Goliad, in Goliad county, and to provide for a board of trustees and other officers of such district; to authorize the board of trustees to levy, assess and collect special taxes, and to issue and dispose of bonds of such district for the purpose of purchasing school sites, and erecting, repairing, furnishing and equipping school buildings within the same, and to pay current expenses in the maintenance and support of the public schools therein, and to further prescribe the duties and authorities of said board of trustees, and declaring an emergency," with engrossed rider.

House bill No. 123, A bill to be entitled "An Act amending Section 37 of an act passed by the Regular Session of the Thirty-first Legislature, approved March 22, 1909, so as to provide that no company shall transact the business of life insurance in this State whose charter authorizes it to do a fire, marine, lightning, tornado or inland insurance business; and that no company shall take fire, marine or inland risks which is authorized to do a life or health insurance business in this State, and declaring an emergency."

House bill No. 126, A bill to be entitled "An Act to amend Section 53 of Chapter 51 of the General Laws of the Twenty-third Legislature, entitled 'An Act to create a more efficient road system in the counties of Cherokee, Houston, Anderson, Trinity, Franklin, Delta, Harrison, Panola, Upshur, Shelby and Smith, and auxiliary thereto; to provide for the appointment of road overseers; to define the powers and jurisdiction of the commissioners courts of said counties with regard thereto; to utilize the labor of defaulting poll taxpayers on the public roads of said counties; and to provide

adequate penalties for the violation of this act,' approved April 19, 1893, as amended by Chapter 131 of the General Laws of the Twenty-fourth Legislature, entitled 'An Act to amend Chapter 51, Sections 1, 2, 33, 53 and 54 of the Acts of the Twenty-third Legislature entitled "An Act to create a more efficient road system in the counties of Cherokee, Houston, Anderson, Trinity, Franklin, Delta, Harrison, Panola, Upshur, Shelby, Smith and Rusk and auxiliary thereto," etc., by reducing the number of days persons may be compelled to work on the public roads in Upshur county from ten days to five days in each year, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### BILLS READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had read and referred, after their captions had been read, the following House bills (see above message for captions of):

House bill No. 126, referred to Committee on Roads, Bridges and Ferries.

House bill No. 122, referred to Committee on Educational Affairs.

House bill No. 123, referred to Committee on Insurance, Statistics and History.

#### HOUSE BILL NO. 16.

The Chair laid before the Senate, on second reading and regular order,

House bill No. 16, A bill to be entitled "An Act to amend Article 1019, Title 27, Chapter 16, of the Revised Civil Statutes of the State of Texas, relating to appearances by brief of attorneys for either party in the Courts of Civil Appeals, and declaring an emergency."

Bill read second time, and passed to a third reading.

On motion of Senator Kellie, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Adams.  
Alexander.  
Brachfield.  
Bryan.

Cofer.  
Greer.  
Harper.  
Hayter.

Holsey.	Perkins.
Hume.	Senter.
Kellie.	Terrell of Bowie.
Mayfield.	Terrell of McLennan.
Meachum.	Veale.
Murray.	Ward.
Paulus.	Willacy.
Peeler.	

Absent.

Hudspeth.	Sturgeon.
Masterson.	Watson.
Real.	Weinert.
Stokes.	

The bill was read third time, and passed by the following vote:

Yeas—22.

Adams.	Mayfield.
Alexander.	Murray.
Brachfield.	Paulus.
Cofer.	Peeler.
Greer.	Perkins.
Harper.	Senter.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hume.	Veale.
Kellie.	Ward.
Meachum.	Willacy.

Absent.

Bryan.	Stokes.
Hudspeth.	Sturgeon.
Masterson.	Watson.
Real.	Weinert.

Senator Kellie moved to reconsider the vote by which the bill was passed, and lay that motion on the table. The motion to table prevailed.

## HOUSE BILL NO. 17.

The Chair laid before the Senate, on second reading,

House bill No. 17, A bill to be entitled "An Act to amend Article 1407, Chapter 19 of Title 30, Revised Civil Statutes of Texas, 1895, relative to appeal bond on any appeal or writ of error."

Senator Cofer offered the following amendment, which was read and adopted:

Amend line 26, page 1, by inserting after the word "Texas" when it first appears, the following words, "nor any city, town or village incorporated under the general law or any special law."

COFER,  
PEELER.

Bill read second time, and passed to third reading.

On motion of Senator Meachum, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Adams.	Meachum.
Alexander.	Murray.
Brachfield.	Paulus.
Bryan.	Peeler.
Cofer.	Perkins.
Greer.	Senter.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Veale.
Hume.	Ward.
Kellie.	Willacy.
Mayfield.	

Absent.

Hudspeth.	Sturgeon.
Masterson.	Watson.
Real.	Weinert.
Stokes.	

The bill was read third time, and passed by the following vote:

Yeas—25.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Senter.
Greer.	Stokes.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hume.	Veale.
Kellie.	Ward.
Mayfield.	Willacy.
Meachum.	

Absent.

Hudspeth.	Watson.
Masterson.	Weinert.
Real.	

Senator Meachum moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SIMPLE RESOLUTION.

By Senators Senter and Alexander:

Whereas, The recent disastrous fires in Fort Worth and Dallas caused such loss and suffering as to call for the con-

sideration of the Legislature under the provisions of Article 8, Section 10, of the Constitution, authorizing the release of the inhabitants of any county, city or town from taxation in case of great public calamity; therefore be it

Resolved, That the Governor is hereby requested, when he shall submit the appropriation bill for the consideration of the Legislature to also submit to the Legislature the question as to whether the occupants of homes, which were destroyed in said fires shall be released from taxation for such period as the Legislature may deem just and expedient.

The Resolution was laid on the table subject to call.

### HOUSE BILL NO. 3.

The Chair laid before the Senate, on second reading,

House bill No. 3, A bill to be entitled "An Act to amend Article 529n of the Penal Code of the State of Texas adopted at the Regular Session of the Twenty-fourth Legislature of the State of Texas; Article 529h of Chapter 98 of the Acts of the Regular Session of the Twenty-fifth Legislature of Texas; Article 529g of Chapter 90 of the Acts of the Regular Session of the Twenty-ninth Legislature of Texas, Article 2518, 2518a, 2518m, 529e, 529j, 529o of Chapter 126 of the Acts of the Regular Session of the Thirtieth Legislature of Texas, and adding thereto Article 2518k, referring to licenses required of dealers in fish and oysters, and Article 529j, referring to the screening of pumps, etc.; and repealing all laws in conflict with the above, relating to the duties and powers of the Game, Fish and Oyster Commissioner."

The committee report, with an amendment, was read and adopted.

Senator Murray offered the following amendment, which was read and adopted:

Amend the bill by striking out of line 8, page 5, the word "residence."

MURRAY,  
WILLACY.

Senator Murray offered the following amendment, which was read and adopted:

Amend the bill by striking out the words "State of Texas," in line 8, page 5, and insert in lieu thereof the words "United States."

MURRAY,  
WILLACY.

Senator Murray offered the following

amendment, which was read and adopted:

Amend the bill by striking out of line 29, page 5, the following: "\$5.00," and insert in lieu thereof the following: "\$2.50."

MURRAY,  
WILLACY.

Senator Murray offered the following amendment, which was read and adopted:

Strike out in line 12, page 8, the words "and one half pounds," and insert the word "pound."

MURRAY,  
WILLACY.

Senator Murray offered the following amendment, which was read and adopted:

Amend by striking out the words "one pound," in line 13, page 8, of the printed bill and insert the words "three-fourths of one pound."

MURRAY,  
WILLACY.

Senator Murray offered the following amendment, which was read and adopted:

Strike out in line 32, page 12, and in line 8, page 13, the words "and one half."

MURRAY,  
WILLACY.

Senator Holsey offered the following amendment:

Amend the bill, page 12, line 12, at the end of line 12, by striking out "\$250," and insert in lieu thereof "\$200."

Senator Hume moved to table the amendment, which motion was adopted.

Bill read second time, and passed to third reading.

On motion of Senator Murray, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Stokes.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Hume.	Ward.
Kellie.	Watson.
Mayfield.	Willacy.
Meachum.	

Absent.

Masterson. Weinert.  
Senter.

The bill was read third time, and passed by the following vote:

Yeas—26.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Stokes.
Harper.	Sturgeon.
Hayier.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Meachum.	Willacy.

Absent.

Hume. Senter.  
Masterson. Weinert.

Senator Murray moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SECOND HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas April 7, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 87, A bill to be entitled "An Act to authorize any county or political subdivision, or other defined district of a county, upon a vote of two-thirds majority of the resident property taxpayers voting thereon, who are qualified electors of such county or political subdivision or defined districts of the county to issue bonds or otherwise lend its credit in any amount not to exceed one-fourth of the assessed valuation of the real property of such county or political subdivision or defined district thereof, and to levy and collect taxes to pay the interest on said bonds, and to provide a sinking fund for the redemption thereof for the purpose of constructing, maintaining and operating macadamized, graveled and paved roads and turnpikes or in aid thereof, creating road

districts making them bodies corporate, creating the office of road superintendent; providing that any county operating under a special road law may take advantage of any of the provisions of this act; repealing Senate bill No. 264, passed by the Regular Session of the Thirty-first Legislature and House bill No. 727, passed by the Thirtieth Legislature, and all other laws and parts of laws in conflict herewith, and declaring an emergency," with amendments.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

## SENATE BILL NO. 87—HOUSE AMENDMENTS CONCURRED IN.

Senator Terrell of McLennan called up Senate bill No. 87, A bill to be entitled "An Act to authorize any county or political subdivision or other defined districts of a county, upon a vote of two-thirds majority of the resident property taxpayers voting thereon who are qualified electors of such county or political subdivision or defined districts of the county to issue bonds or otherwise lend its credit in any amount not to exceed one-fourth of the assessed valuation of the real property of such county or political subdivision or defined district thereof, and to levy and collect taxes to pay the interest on said bonds, and to provide a sinking fund for the redemption thereof for the purpose of constructing, maintaining and operating macadamized, graveled and paved roads and turnpikes or in aid thereof, creating road districts, making them bodies corporate; creating the office of road superintendent; providing that any county operating under a special road law may take advantage of any of the provisions of this act; repealing Senate bill No. 264, passed by the Regular Session of the Thirty-first Legislature, and House bill No. 727, passed by the Thirtieth Legislature, and all other laws and parts of laws in conflict herewith, and declaring an emergency."

And moved that the Senate concur in the following House amendments:

Amend Senate bill No. 87, page 5, by striking out all of Section 7, after the words "of such road district," in line 10, and insert in lieu thereof the following: "Provided, such contract shall not exceed the sum of \$50, which shall be approved by the commissioners court, and all contracts exceeding the sum of



\$50 shall be awarded by the entire court, which contracts shall be binding on said county, political subdivision or defined district when work is done by contract in any county, political subdivision or defined district, bids shall be invited by publishing an advertisement in a newspaper or newspapers published in such county when the commissioners court may deem it advisable to do so, and the contract shall be awarded to the lowest and best bidder; provided, however, that the commissioners court shall have the right to reject any and all bids."

Amend Senate bill No. 87, page 5, line 15, by inserting after the words "on the," in line 15, the word "twentieth."

Amend Senate bill No. 87, page 3, line 36, by inserting after the word "published," in line 36, the following: "In the political subdivision or defined district in which bond issue is proposed, and if no newspaper is published in such political subdivision or defined district, then in some newspaper published."

The motion to concur prevailed by the following vote:

## Yeas—25.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Stokes.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Meachum.	

## Nays—1.

Holsey.

## Absent.

Masterson.	Weinert.
Senter.	Willacy.

## HOUSE BILL NO. 116.

The Chair laid before the Senate, on second reading and regular order,

House bill No. 116, A bill to be entitled "An Act creating the Nocona School District in Montague county, Texas, defining its boundaries, providing for the election of a board of trustees to manage

and control the public free schools within said district, investing said district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only under the General Laws, and declaring an emergency."

The committee report, which recommended that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Hayter, the constitutional rule requiring bills to be read on three several days was suspended and the bill puts on its third reading and final passage by the following vote:

## Yeas—25.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Cofer.	Perkins.
Greer.	Real.
Harper.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Meachum.	

## Absent.

Bryan.	Weinert.
Masterson.	Willacy.
Senter.	

The bill was read third time, and passed by the following vote:

## Yeas—27.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Meachum.	Willacy.
Murray.	

## Absent.

Bryan.	Weinert.
Masterson.	

Senator Hayter moved to reconsider the vote by which the bill was passed, and lay that motion on the table.  
The motion to table prevailed.

#### HOUSE BILL NO. 117.

The Chair laid before the Senate, on second reading and regular order,

House bill No. 117, A bill to be entitled "An Act incorporating the Bowie Independent School District in Montague county, Texas, for free school purposes only; defining its boundaries; providing for a board of trustees; providing for a treasurer for the funds of said district and providing for an assessor and collector of the taxes of said district; divesting the city of Bowie of the control of its public schools, and the title to school property; investing the same in said Bowie Independent School District, and its board of trustees, and prescribing the rights, powers, privileges and duties of said Bowie Independent School District, and its board of trustees and officers, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to third reading.

On motion of Senator Hayter, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Meachum.	Willacy.
Murray.	

Absent.

Bryan.	Weinert.
Masterson.	

The bill was read third time, and passed by the following vote:

Yeas—27.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Veale.
Kellie.	Ward.
Mayfield.	Watson.
Meachum.	Willacy.
Murray.	

Absent.

Bryan.	Weinert.
Masterson.	

Senator Hayter moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### EXCUSED.

On account of sickness in family:

Senator Weinert for yesterday and today, on motion of Senator Murray.

#### HOUSE BILL NO. 118.

The Chair laid before the Senate, on second reading and regular order,

House bill No. 118, a special road law for Grayson county, Texas.

The committee report, which provided that the bill be not printed, was adopted.

Senator Cofer offered the following amendment, which was read, and adopted:

Amend the bill, page 7 of House engrossed bill, by adding after Section 20 another section to be known as "Section 21," and to be inserted just before the emergency clause:

"Section 21. The political subdivisions herein created are hereby constituted bodies politic, with power to sue and to be sued, implead and to be impleaded, and to act as corporate bodies. Said political subdivisions shall enjoy the same immunity as a county from liability for torts, and shall never be liable in any action in any court for any tort, whether of commission or omission."

Senator Cofer offered the following amendment, which was read, and adopted:

Amend the House engrossed bill, line 14, page 7, by striking out figures "21," and substituting the figure "2."

Senator Cofer offered the following amendment, which was read and adopted:

Amend the caption, line 12, page 1, by adding after the word "district" the following: "Constituting such districts bodies politic with power to sue and be sued and plead and be impleaded and exempting them from liability for torts the same as counties."

(Senator Veale in the chair.)

The bill was read second time, and passed to a third reading by the following vote:

## Yeas—27.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Veale.
Kellie.	Weinert.
Mayfield.	Willacy.
Meachum.	

## Absent.

Masterson.	Watson.
Ward.	

On motion of Senator Cofer, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—27.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Veale.
Kellie.	Weinert.
Mayfield.	Willacy.
Meachum.	

## Absent.

Masterson.	Watson.
Ward.	

The bill was read third time, and passed by the following vote:

## Yeas—25.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Stokes.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Hume.	Weinert.
Kellie.	Willacy.
Mayfield.	

## Absent.

Masterson.	Ward.
Meachum.	Watson.
Senter.	

Senator Cofer moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 76—PRINTED IN FULL.

Senator Harper moved that Senate bill No. 76 be printed in the Journal of today.

The motion was adopted.

Following is the bill in full:

S. B. No. 76. By Harper.

## A BILL

## To Be Entitled

An Act authorizing any life insurance company, incorporated under the laws of this State, at its option, to deposit securities equal in value to the legal reserve on its outstanding policies and annuity bonds for the benefit of all the holders thereof, and providing for the regulation and maintenance of such deposit, and the terms and purposes for which same shall be held, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Any life insurance company now incorporated, or which may hereafter be incorporated under the laws of this State, may deposit with the Commissioner of Insurance and Banking of the State of Texas, for the common benefit of all the holders of its policies and annuity bonds, securities of the

kinds in which, by the laws of this State, it is permitted to invest or loan its funds, equal to the legal reserve on all its outstanding policies in force, which shall be held by said Commissioner in trust for the purpose and objects herein specified. Any such company may deposit, in lieu of the securities above referred to, any portion of the amount of its reserve on outstanding policies and annuity bonds, lawful money of the United States and any such company may also, for the purposes of such deposit, convey to said Commissioner, in trust, the real estate in which any portion of its said reserve may be lawfully invested, and in such case said Commissioner shall hold the title thereto in trust until other securities in lieu thereof shall be deposited with him, whereupon he shall reconvey the same to such company. Said Commissioner may cause any such securities of real estate to be appraised and valued prior to their being deposited with or conveyed to him in trust as aforesaid. The reasonable expense of such appraisal or valuation shall be paid by the company.

Sec. 2. After making the deposit mentioned above, no company shall issue a policy of insurance or endowment or annuity bond unless it shall have upon its face a certificate in the following words: "This policy is registered in the office of the Commissioner of Insurance and Banking of the State of Texas and approved securities equal in value to the legal reserve thereon are held in trust by said Commissioner," which certificate shall be signed by said Commissioner and sealed with the seal of his office.

All policies and bonds of each kind and class issued, and the forms thereof filed in the office of said Commissioner, shall have imprinted thereon some appropriate designating letter or figure, combination of letters or figures or terms identifying the particular form of contract, together with the year of adoption of such form, and whenever any change or modification is made in the form of contracts, policy or bond, the designating letters, figures or terms and year of adoption thereon shall be correspondingly changed.

The Commissioner of Insurance and Banking shall prepare and keep such registers thereof as will enable him to compute their value at any time. Upon written proof attested by the president or vice president and secretary of the company which shall have issued such

policies or annuity bonds, that any of them have been commuted or terminated, the Commissioner shall commute or cancel them upon his register. The net value of every policy or annuity bond, according to the standard prescribed by the laws of this State for the valuation of policies of life insurance companies, when the first premium shall have been paid thereon, less the amount of such fines, not exceeding such value as the company may have against it, shall be entered opposite the record of said policy or annuity bond in the register aforesaid at the time such record is made. On the first day of January, each year, or within sixty days thereafter, the Commissioner shall cause the policies and annuity bonds of each company to be carefully valued, and the actual value thereof at the time fixed for such valuation, less such liens not exceeding such value as the company may have against it, shall be entered upon the register opposite the record of such policy or bond, and the Commissioner shall furnish a certificate of the aggregate of such value to the company.

It shall be the duty of the Commissioner to cancel mutilated or surrendered policies and annuity bonds issued by said companies, and register other like policies or bonds issued in lieu thereof.

Each company which shall have made the deposit herein provided for shall make additional deposits from time to time in amounts not less than \$5000, and of such securities as are permitted by this section to be deposited, so that the market value of the securities deposited shall always be equal to the net value of the policies and annuity bonds issued by said company, less such liens (not exceeding such net value) as the company may have against them. So long as any company shall maintain its deposit as herein prescribed, at an amount equal to or in excess of the net value of its policies and annuity bonds as aforesaid, it shall be the duty of the said Commissioner to sign and affix his seal to the certificates before mentioned on every policy and annuity bond presented to him for the purpose by any company so depositing.

The Commissioner shall keep a careful record of the securities deposited by each company and showing by item the amount and market value thereof. If at any time it shall appear therefrom that the value of the securities held on deposit is less than the actual value of the policies and annuity bonds issued

by such company, and then in force it shall be unlawful for the Commissioner to execute the certificate on any additional policies or annuity bonds of such company until it shall have made good the deficit.

Any company depositing under the provisions of this section may increase its deposits at any time by making additional deposits of not less than \$5000 of such securities as are authorized by this section. Any such company whose deposits exceed the net value of all policies and annuity bonds it has in force, less such liens (not exceeding such net value) as the company may hold against them, may withdraw such excess, and it may withdraw any of said securities at any time by depositing others of equal value and of the character authorized by this act in their stead, and it may collect the interest, coupons, rents and other income on the securities deposited as the same accrue.

The securities deposited under this act shall be placed and kept by the Commissioner of Insurance and Banking of the State in some secure, safety deposit fire-proof box or vault in the city or town in or near which the home office of the company is located, and the officers of the company shall have access to such securities for the purpose of detaching interest coupons and crediting payments, under such reasonable rules and regulations as the Commissioner may establish.

The company shall pay the rent or charges for the safety box or vault above mentioned.

Every company making deposit under the provisions of this section shall pay to the Commissioner of Insurance and Banking for each certificate placed on registered policies or annuity bonds, or issued for that purpose, including seal, a fee of 25 cents, and such fees shall by the Commissioner be deposited with the State Treasurer to the credit of the general fund.

Sec. 3. Any life insurance company organized under the laws of this State making the deposit provided for by this act, may include as a part thereof any deposits of its securities heretofore or hereafter made representing its capital stock in complying with the law of this State, and shall only be required to deposit in addition thereto the remainder of its total reserve on outstanding policies and annuity bonds after deducting therefrom the amount of its capital stock securities so deposited.

Sec. 4. The securities deposited un-

der the provisions of this act shall be held by the Commissioner of Insurance and Banking and his successors in office in trust for the policy holders of such company so long as its policies or annuity bonds or any of them shall remain in force. In case of a liquidation of any company making such deposits, such securities shall be deposited or otherwise disposed of in accordance with the order or decree of the court having jurisdiction of the subject matter. And in case of the reinsurance of the outstanding business of any such company it shall be a condition of such reinsurance that such securities shall remain on deposit and that additional deposits of securities shall be thereafter maintained as required by this act so long as there are any of such policies or annuity bonds remaining in force.

Sec. 5. The fact that there is now no law in this State authorizing life insurance companies organized under the laws of this State to afford their policy holders the protection provided for by this act, constitutes an emergency and an imperative public necessity demanding that the constitutional rule requiring bills to be read on three several days in each house be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

#### SENATE BILL NO. 72.

On motion of Senator Weinert, the regular order of business (Senate bill No. 45) was suspended, and the Senate took up, out of its order, Senate bill No. 72 by the following vote:

#### Yeas—26.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Veale.
Hume.	Ward.
Kellie.	Weinert.
Mayfield.	Willacy.
Absent.	
Masterson.	Terrell of McLennan.
Meachum.	Watson.

The Chair laid before the Senate, on second reading,

Senate bill No. 72, A bill to be entitled "An Act to amend Chapter 12, Title 51 of the Revised Civil Statutes of Texas, and declaring an emergency."

Senator Alexander offered the following amendment, which was read and adopted:

Amend the bill by striking out the word "requested," in line 12, page 1, printed bill, and inserting the word "required."

Senator Alexander offered the following amendment, which was read and adopted:

Amend the bill by inserting before the word "same" in line 13, page 1, printed bill, the following words: "Order of the probate judge on application of."

Bill read second time, and ordered engrossed.

On motion of Senator Weinert, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Venale.
Kellie.	Watson.
Mayfield.	Weinert.

Absent.

Hume.	Terrell of
Masterson.	McLennan.
Meachum.	Ward.
	Willacy.

The bill was read third time, and passed by the following vote:

Yeas—24.

Adams.	Kellie.
Alexander.	Mayfield.
Brachfield.	Murray.
Cofer.	Paulus.
Greer.	Peeler.
Harper.	Perkins.
Hayter.	Real.
Holsey.	Senter.
Hudspeth.	Stokes.

Sturgeon.  
Terrell of Bowie.  
Venale.

Watson.  
Weinert.  
Willacy.

Absent.

Bryan.  
Hume.  
Masterson.

Meachum.  
Terrell of McLennan.  
Ward.

Senator Weinert moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 45.

The Chair laid before the Senate, as regular order,

Senate bill No. 45, A bill to be entitled "An Act to regulate the practice of barbering, the registering and licensing of persons to carry on such practice and to insure the better education of practitioners, and to insure better sanitary conditions in barber shops, and to prevent the spread of disease in the State of Texas, and to repeal all laws in conflict herewith, and declaring an emergency."

Further consideration of the bill was postponed indefinitely.

(Lieutenant Governor Davidson in the chair.)

#### SENATE BILL NO. 41.

The Chair laid before the Senate, on second reading and regular order,

Senate bill No. 41, A bill to be entitled "An Act creating the office of State Fire Marshal, and defining his powers and duties, and providing for the investigation of fires for the purpose of ascertaining the cause thereof, and prescribing the duties of certain officers in connection with such investigation, and of school teachers respecting fire protection, and amending Section 8 of Chapter 18, of the General Laws of the First Called Session of the Thirtieth Legislature so as to increase the rate of taxes on fire insurance companies, and provide an additional tax sufficient to defray the expenses incurred by the maintenance of the office of State Fire Marshal and the performance of his duties as herein defined; providing penalties for violations of certain provisions of this act, and declaring an emergency."

On motion of Senator Alexander, the bill was laid on the table subject to call.



## ADJOURNMENT.

On motion of Senator Mayfield, the Senate, at 5:30 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

## APPENDIX.

## COMMITTEE REPORTS.

Committee Room,  
Austin, Texas, April 7, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Finance Committee, to whom was referred Senate Concurrent Resolution No. 1, relating to sine die adjournment, have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass with the following amendment:

Amend to read "Saturday, April 10th, 5 p. m.," and that same be not printed.

WILLACY, Chairman.

(Floor Report.)

Austin, Texas, April 7, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, the undersigned members of your Committee on Agricultural Affairs, to whom was referred

Senate bill No. 89, A bill to be entitled "An Act to prevent the keeping of certain fruit trees affected with yellows, crown-gall, black knot, or any tree, shrub or plant infested with or by the San Jose scale, white fly, or other dangerous, injurious or destructive pests or diseases, and declaring such affected and infested trees, shrubs and plants a public nuisance, and making it the duty of the Commissioner of Agriculture or his agents or employees to seek out and destroy such trees, shrubs and plants or cause the same to be done, or to have such affected or infested trees treated, and providing the manner of such treatment and destruction, and for certain investigation by the Commissioner of Agriculture; providing the manner of combating such diseases and pests, and preventing their spread and dissemination; providing for the inspection of orchards, nurseries, forest trees and greenhouse plants, and giving certificates to that effect; regulating alien individuals and alien nursery companies or corporations doing business in this State; regulating the importation of

trees, shrubs, plants and all nursery stock from without the State, and regulating their transportation within the State; forbidding the selling, consignment or shipping of nursery stock, cuttings, plants, shrubs, forest trees, evergreens, ornamental and cut flowers without certificate; providing for the fumigation of certain trees, shrubs, plants; defining a nursery and nursery stock; defining an agent for a nursery or nursery stock; defining being in the nursery business; authorizing the Commissioner of Agriculture to adopt certain rules and regulations and to appoint a chief inspector of trees, shrubs and plants for this State, and prescribing and defining the qualifications of such inspector, and to employ other assistants, agents and experts and fixing their compensation; fixing fees for inspection, fixing penalties for violation of any of the provisions of this act, and directing the disposal of the penalties collected under the provisions of this act; fixing the duties of city administrations, owners of parks and city residences, to obey rules and regulations of the Commissioner of Agriculture and to co-operate with the Commissioner of Agriculture; providing that agents for nurseries shall have credentials and defining their duties, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate, with the recommendation that it do pass and be not printed.

Mayfield, Chairman; Perkins, Holsey, Paulus, Murray, Cofer, Willacy.

(Floor Report.)

Austin, Texas, April 7, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Federal Relations, to whom was referred

House Concurrent Resolution No. 3, same being a resolution asking President Taft and Secretary of State Knox to give the cotton producing States representation by appointment to diplomatic and consular positions in foreign country to the end that the market for cotton and cotton goods may be extended and broadened, etc.,

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

Sturgeon, Chairman; Kellie, Cofer, Perkins, Ward.

(Floor Report.)

Austin, Texas, April 7, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 126, A bill to be entitled "An Act to amend Section 53 of Chapter 51, of the General Laws of the Twenty-third Legislature, entitled 'An Act to create a more efficient road system in the counties of Cherokee, Houston, Anderson, Trinity, Franklin, Delta, Harrison, Panola, Upshur, Shelby and Smith, and auxiliary thereto, to provide for the appointment of road overseers; to define the powers and jurisdiction of the commissioners courts of said counties with regard thereto; to utilize the labor of defaulting poll taxpayers, on the public roads of said counties, and to provide adequate penalties for the violation of the provisions of this act,' approved April 10, 1893, as amended by Chapter 131 of the General Laws of the Twenty-fourth Legislature, entitled 'An Act to amend Chapter 51, Section 1, Section 2, Section 33, Section 53 and Section 54 of the Acts of the Twenty-third Legislature, entitled 'An Act to create a more efficient road system in the counties of Cherokee, Houston, Anderson, Trinity, Franklin, Delta, Harrison, Panola, Upshur, Shelby, Smith and Rusk, and auxiliary thereto,' etc., by reducing the number of days persons may be compelled to work on the public roads in Upshur county from ten days to five days in each year; and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

Greer, Chairman; Murray, Sturgeon, Peeler, Mayfield, Terrell of McLennan, Perkins.

Committee Room,

Austin, Texas, April 7, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 79, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Crockett county, and the county court of Edwards county; to conform the jurisdiction of the district courts there-

to, and to repeal all laws in conflict therewith, and declaring an emergency,"

And find the same correctly engrossed.  
WARD, Chairman.

Committee Room,

Austin, Texas, April 7, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 73, A bill to be entitled "An Act to amend Article 942, Chapter 2 of Title 27 of the Revised Statutes, regulating the prosecution of writs of error to the Supreme Court, and declaring an emergency,"

And find the same correctly engrossed.  
WARD, Chairman.

Committee Room,

Austin, Texas, April 7, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 40, A bill to be entitled "An Act to authorize and empower any party to any cause, or his attorney of record, to print or typewrite or cause to be printed or typewritten the transcript of the record in any cause on appeal or writ of error, and requiring the clerk of the trial court to proof-read and certify to the same, and providing for his compensation for the same,"

And find the same correctly engrossed.  
WARD, Chairman.

Committee Room,

Austin, Texas, April 7, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 63, A bill to be entitled "An Act to amend an act to prescribe the time within which statements of facts and bills of exception may be filed in causes tried in the district and county courts of Texas; and to authorize judges whose terms of office have expired to approve statement of facts and bills of exception, and providing that judges also have ten days after adjournment of the term of court at which said cause may be tried to file

findings of facts and conclusions of law, and declaring an emergency."

And find the same correctly engrossed.  
WARD, Chairman.

Committee Room,

Austin, Texas, April 7, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 61, A bill to be entitled "An Act regulating the fees authorized to be charged by newspapers for making publication of citations as authorized under Article 1236 of the Revised Civil Statutes of Texas of 1895, and declaring an emergency."

And find the same correctly engrossed.  
WARD, Chairman.

Committee Room,

Austin, Texas, April 7, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 83, A bill to be entitled "An Act to amend Title 17, Chapter 5 of the Penal Code of the State of Texas by adding thereto Article 825a, prohibiting the cutting of wood, trees or shrubs suitable for fuel, or other useful purposes, from the enclosed lands of another; providing a penalty for a violation thereof, and declaring an emergency."

And find the same correctly engrossed.  
WARD, Chairman.

Committee Room,

Austin, Texas, April 7, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 24, A bill to be entitled "An Act declaring corporations, receivers, or other persons operating railroads in this State, to be liable to employees for injuries received through the negligence of such employer, officer, agent or servant, or, in case of death from such injury, to be liable to the surviving widow and children, and mother and father of the deceased; if none, then of the next of kin dependent upon such employees; prescribing the effect of con-

tributory negligence and assumed risk upon the right of recovery; declaring void any contract, rule or regulation intended to enable the employer to limit liability; also providing that employer shall be entitled to set-off against any claim any sum contributed by such employer to a fund provided for such cases and which was actually paid to the injured party; also that nothing in this act shall impair any right under any other law of this State or of the United States or in any way interfere with any proceeding now pending in any court, and declaring an emergency."

And find the same correctly engrossed.  
WARD, Chairman.

Committee Room,

Austin, Texas, April 6, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 66, "An Act to confer upon the county court of Concho county the civil and criminal jurisdiction belonging to said court under the Constitution and general statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to said change; to fix the time of holding court, and to repeal all laws in conflict with this act, and declaring an emergency."

And find it correctly enrolled, and have this day, at 5 o'clock p. m., presented same to the Governor for his approval.

TERRELL of McLennan, Chairman.

#### PETITIONS AND MEMORIALS.

By Senator Veale:

Dalhart, Texas, April 6, 1909.

Jno. W. Veale, Senate Chamber, Austin, Texas:

Stay with Governor Campbell and the people. Case continued.

DEL W. HARRINGTON.

By Senator Masterson:

Galveston, Texas, April 6, 1909.

Hon. T. W. Masterson, Senate, Austin, Texas:

The laboring people of Galveston county through the Galveston labor council appeal to you to actively sup-

port the passage of the Cureton Bank Guarantee Deposit bill. Answer.

C. HAUGHTON,  
Chairman Legislative Board, Labor Council.

HENRY W. ERABE,  
Secretary Labor Council.  
M. E. SHAY,  
President Labor Council.

By Senator Peeler:

Marble Falls, Texas, April 6, 1909.

Hon. J. L. Peeler, Austin, Texas:

We, your constituents, would respectfully suggest that you vote for and use your influence towards the enactment of the proposed Bank Guarantee. We would especially appreciate your influence in this direction from the fact that we now labor under the disadvantage that this bill, if enacted, will alleviate. Numerous signed.

By Senator Perkins:

Celeste, Texas, April 6, 1909.

Tom W. Perkins, Senator, Austin, Tex.

Stand pat on Senter-Hume bill.

CELESTE STATE BANK,  
G. K. CHEATHAM, Cashier.

By Senator Sturgeon:

Ladonia, Texas, April 6, 1909.

Hon. B. B. Sturgeon, Austin, Texas.

Dear Sir: We commend your courageous stand for the Senter-Hume statute, and urge you to stand firm against the encroachment of socialistic and populist encroachments in individual rights.

W. E. Weldon, Sam Primm, S. E. Bartley, H. L. Hooks, Luther Kean, Linton Fry, C. H. Weldon, Geo. L. Crofford, J. D. Fraley, W. O. Nunn, H. L. Graves, H. P. Erwin, H. C. Light, W. H. Burton, Lucian Fry, E. P. Morning, S. C. Relyea, H. C. Wartell, Louie Wartell, W. G. Nunn, J. F. McFarland, J. B. Haden, M. F. Wise, Sam Roberts, Tom H. Bell, G. W. Stone, G. M. Evans, J. Womack, E. W. Cummins, and others.

#### EIGHTEENTH DAY.

Senate Chamber,

Austin, Texas,

Thursday, April 8, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

The roll was called, a quorum being present, the following Senators answering to their names:

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Stokes.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Hume.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Cofer, the same was dispensed with.

There being no bills and resolutions, the morning call was declared concluded.

#### HOUSE CONCURRENT RESOLUTION NO. 3.

The Chair laid before the Senate, as regular order,

House Concurrent Resolution No. 3, Relative to Southern representation in the diplomatic service.

The committee report, which provided that the resolution be not printed, was adopted.

The resolution was read and adopted by the following vote:

Yeas—25.

Adams.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Paulus.	

Nays—3.

Alexander.	Hudspeth.
Brachfield.	